REMARKS

Claims 1-8, 10 13-21, 23, 26-31 and 33 are pending in the above application. Claims 1-3, 5, 7-8, 13-16, 18, 20-21 and 28-29 stand rejected under 35 U.S.C. §102 as being anticipated by *Frost* U.S. 5,041,972. Claims 4, 6, 17, 19, 23 and 26-27 stand rejected under 35 U.S.C. §103 as being obvious in view of *Frost*. Claims 28-29 and 33 also stand rejected under 35 U.S.C. §103 as being unpatentable over *Frost* in view of *Eisner*.

The *Frost* reference is directed toward solving the problem of selecting a set of attributes for use in market research which attributes achieve a behavioral variance of greater than 70% and which also provides a high level of discrimination for each consumer interviewed. In all cases, consumers are presented with groups of related items and asked to associate attributes with each item within the group. In the first stage, consumers are requested to identify attributes (rational descriptors and emotional descriptors) which describe each of the items presented in the group. As a result, "usually 1,000 to 2,000" descriptors are generated and later reduced to approximately 100 to 200 descriptors for further use. In the next stage, the remaining descriptors are again presented to consumers along with a group of associated items, and consumers are requested to evaluate the extent or degree to which each descriptor is attributable to each item presented within the group of items. All descriptors are not presented to each consumer, but rather, only a sufficient number of descriptors to be statistically sound. The descriptors resulting in the greatest degree of behavioral variance (usually between 30 and 50 descriptors) is then presented to consumers in conjunction with groups of items for a third time. The way in which consumers correlate the final set of attributes with each of the functionally related items within the group results in a multi-dimensional matrix of factors based upon the attribute evaluations for each respective item and reference item. These relationships can then be used to discern consumer preferences for certain types of products. For example, the preference for a new

product incorporating a given item, or the change in preference for an existing product which is modified by incorporating a different ingredient in the item, can be measured.

The present invention does not take an entire body of all potential attributes or descriptors and apply them to a group of functionally related items. Rather, a specific set of product attributes is provided and classified and thereafter ranked in some manner to generate a preferred product brand position. The process also includes identifying competitive products and associating the defined product attributes with respect to the competitive products. The classified product attributes and preferred brand position of the new product are then used to generate target product characteristics to be incorporated into the new vehicle. In this way, the target product characteristics take into account those product attributes which customers consider important and which are considered a competitive necessity, within the framework of the brand position for the new product.

Each of independent claims 1, 13 and 28 require that each of the plurality of predetermined attributes be placed in an attribute class. The attribute classes relate each attribute to a property desired for the ultimate brand image of the product under consideration. In the example of the specification at page 11, each attribute is classified into one of three classes (D, I and G). Class D represents a brand or product "differentiator," i.e. those attributes which are considered very important to differentiate the brand from competitive brands or products. It is this class of attributes which forms the brand's personality. Attributes in Class I are considered "important" brand benefits. These are considered important for the brand's personality but not necessarily differentiating. Finally, Class G are attributes which are considered "given" or necessary for the product under consideration to even be within this type of brand. From a ranking of these classified product attributes, a brand profile is generated for the product under consideration.

Applicants submit that the claimed method step of placing each of the predetermined attributes in an attribute class is neither taught nor suggested by any of

the prior art references. Specifically, Applicants traverse the suggestion at paragraph 3 of the Final Office Action that the *Frost* reference discloses such a feature at column 4, lines 34-53. The process described at column 4, lines 34-50 is akin to ranking the product attributes for desirability within an item or competitive item. In other words, one of the primary significant differences between the teachings of the *Frost* reference and Applicants' claimed invention is *Frost's* lack of regard for brand imaging or brand profiling. As mentioned above, *Frost* is primarily concerned with identifying specific product attributes for use in market research which have a high degree of behavioral variance and therefore provide a high level of discrimination for each consumer interviewed. Once these attributes are identified, market researchers can then use them to more accurately discern how change in a feature of a given product may be received by the consuming public.

In contrast, the present invention is concerned with developing a brand profile for a generic product which takes into account the voice of the customer. The brand profile positions the generic product within the corporate portfolio of products. Thus, as explained in the specification, personal use vehicles will have a corresponding list of attributes associated therewith, but it is the classification of these attributes which help distinguish one type of personal use vehicle from another. For example, although the attribute list for a sports car and a mini-van may be the same, the classification of the attributes for each vehicle type will be significantly different. In turn, the ranking of the attributes by potential consumers will be constrained by the prior classification of that attribute. For example, "acceleration" may be ranked high as an attribute in both types of vehicles, but due to the classification of the respective attribute in the different vehicle types, the vehicle's acceleration performance may actually be a significant priority for the sports car (where such an attribute may be a Differentiator or a Given), whereas in the mini-van, the vehicle's acceleration performance may be considered not applicable to that particular brand.

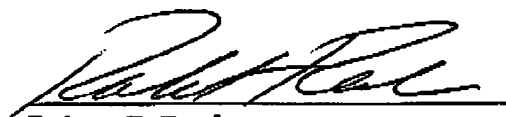This pre-classifying of the attributes to correlate them with a desired brand identity is not disclosed or suggested in the *Frost* reference. Applicants therefore submit that independent claims 1, 13 and 28 as well as all of the claims which depend therefrom are novel and non-obvious in view of the cited prior art. Applicants therefore respectfully request that a Notice of Allowance indicating the same be issued. The Examiner is invited to telephone the Applicants' undersigned attorney at (248) 223-9500 if any unresolved matters remain.

Respectfully Submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

<u>In The Claims:</u>

Please cancel claim 16.

Please amend claims 1, 2, 3, 4, 13, 14, 15, 17, 26 and 28 as follows:

1.   (Twice Amended)   A method of developing [product characteristics] <u>a brand profile</u> for a new product comprising the steps of:

[generating] <u>providing</u> a <u>predetermined</u> plurality of product attributes <u>each representing an identifiable feature of a generic product under consideration;</u>

[classifying] <u>placing</u> each of said attributes <u>in an attribute class;</u>

<u>thereafter,</u> generating a preferred product brand position as a function of said product attributes<u>, including</u> identifying a competitive set of products, and associating each of said product attributes with a preferred competitive level with respect to said competitive set; and

generating target product characteristics as a function of said classified product attributes and said preferred product brand position, said target product characteristics representing customer-driven objectives for each of said plurality of product attributes to be incorporated into said new product.

2.   (Amended)   A method as recited in claim 1 wherein the step of [generating] <u>providing</u> a <u>predetermined</u>

plurality of product attributes comprises the steps of providing a plurality of summary attributes and a clarifying definition for each of said summary attributes, said clarifying definition providing a relationship between each of said product attributes and the type of product under development.

3.   (Amended) A method as recited in claim 1 wherein the step of [generating] **providing** a **predetermined** plurality of product attributes includes the step of providing a detailed definition for each of said product attributes, each of said detailed definitions providing a context for each attribute as it relates to the product under development.

4.   (Amended) A method as recited in claim 1 wherein the step of [classifying] **placing** each of said attributes **in an attribute class** includes the step of placing each attribute in one of three classes wherein said first class represents attributes which differentiate the product from competing products, said second class represents important attributes, but which do not differentiate the new product from competing products, and said third class represents otherwise desirable product attributes.

13.   (Twice Amended) A method of developing [product characteristics] **a brand profile** for a new automotive vehicle comprising the steps of:

[generating] **providing** a plurality of vehicle attributes, said plurality including at least attributes from each of the following groups of vehicle characteristics: usage experience, driving experience, and design;

placing each of said attributes in an attribute class;

thereafter, generating a preferred vehicle brand position as a function of said vehicle attributes including identifying a competitive set of products, and associating each of said vehicle attributes with a preferred competitive level with respect to said competitive set; and

generating target vehicle characteristics as a function of said vehicle attributes and said preferred vehicle brand position, said target vehicle characteristics representing customer-driven objectives for each of said plurality of vehicle attributes to be incorporated into said new automotive vehicle.

14.   (Amended) A method as recited in claim 13 wherein the step of [generating] **providing** a plurality of vehicle attributes comprises the steps of providing a plurality of summary attributes and a clarifying definition for each of said summary attributes said clarifying definition providing further detail relating each of said vehicle attributes to a vehicle characteristic.

15.   (Amended) A method as recited in claim 13 wherein the step of [generating] **providing** a plurality of vehicle attributes includes the step of providing a detailed

definition for each of said vehicle attributes each of said detailed definitions providing a context for each attribute as it relates to the vehicle under development.

17.   (Amended)   A method as recited in claim [16] **13** wherein the step of [classifying] **placing** each of said vehicle attributes **in an attribute class** includes the step of placing each attribute in one of three classes wherein said first class represents attributes which will differentiate the vehicle from competing vehicles, said second class represents important attributes, but which do not differentiate the vehicle from competing vehicles, and said third class represents otherwise desirable vehicle attributes.

26.   (Amended)   A method as recited in claim [16] **19** wherein the step of [classifying] **ranking** each of said attributes includes the step of [classifying] **ranking** design attributes differently than usage experience attributes and driving experience attributes.

28.   (Twice Amended)   A method of developing [product characteristics] **a brand profile** for a new automotive vehicle comprising the steps of:

[generating] **providing** a plurality of vehicle attributes, said plurality including at least attributes from each of the following groups of vehicle characteristics: usage experience, driving experience, and design;

placing each of said attributes in an attribute class;

providing a cross-functional product team;

providing target customer characteristics;

providing target vehicle image characteristics;

thereafter, generating a preferred vehicle brand position by said cross-functional product team as a function of said vehicle attributes, said target customer characteristics, and said target vehicle image characteristics; and

generating target vehicle objectives by said cross-functional product team as a function of said vehicle attributes and said preferred vehicle brand position, said target vehicle objectives representing customer-driven and image-driven characteristics for each of said plurality of vehicle attributes to be incorporated into said new automotive vehicle.

TOTAL P.21